

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 27, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAHLONNA S.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:22-CV-3079-RMP

ORDER GRANTING PARTIES'
STIPULATED MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 9. Plaintiff Mahlonna S.¹ is represented by attorney Victoria Chhagan. The Commissioner of Social Security is represented by Special Assistant United States Attorney Joseph Langkamer.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 9**, is **GRANTED**. Pursuant to the parties' stipulation,

¹ The Court uses Plaintiff's first name and last initial to protect her privacy.

1 the Commissioner's final decision regarding Plaintiff's applications for Disability
2 Insurance Benefits and Supplement Security Income is **reversed and remanded**
3 under sentence four of 42 U.S.C. §405(g). On remand, the Administrative Law
4 Judge will comply with the terms of the Appeals Council's June 8, 2020 remand
5 order, including, but not limited to, obtaining a medical expert, if one is available.
6 *See* ECF No. 9 at 1. If a medical expert is not available, the ALJ will explain the
7 efforts taken to obtain one. *See id.* at 1–2. The ALJ also will offer Plaintiff the
8 opportunity for a hearing, take further action, as necessary, to complete the
9 administrative record, and issue a new decision. *Id.* at 2.

10 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary
11 Judgment, **ECF No. 8**, is **DENIED AS MOOT**.

12 Upon proper presentation, this Court will consider Plaintiff's application for
13 costs and attorney's fees under 28 U.S.C. §§ 1920, 2412(d).

14 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
15 Order and provide copies to counsel, enter judgment in favor of Plaintiff, and **close**
16 **the file.**

17 **DATED** December 27, 2022.

18
19 *s/ Rosanna Malouf Peterson*
ROSANNA MALOUF PETERSON
20 Senior United States District Judge
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